

Attorney's Docket: 2000DE441
Serial No.: 09/993,590
Art Unit 1714

REMARKS

The Office Action mailed June 28, 2001 has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Accordingly, reconsideration of the present Application in view of the following remarks is respectfully requested.

Applicant has amended the Application to attend to housekeeping matters and to more clearly describe the invention. Claim 4 was amended to place the claim in independent form and include all of the limitations of the claims from which originally filed claim 4 depends. Support for this amendment can be found in originally filed claim 1 and claim 4.

Claim 4 was provisionally rejected under the judicially created doctrine of double patenting over claims 1-4 and 6-9 of co-pending Application No. 09/993,847. Applicant has herewith provided a Terminal Disclaimer which disclaims the terminal portion of the statutory term of any patent granted on the instant invention which would extend beyond the expiration date of the full statutory term of any patent granted on Application No. 09/993,847 which is commonly owned and the extent of which is the whole of this invention. Therefore the provisional rejection of Claim 4 under the judicially created doctrine of double patenting over claims 1-4 and 6-9 of co-pending Application No. 09/993,847 should be withdrawn.

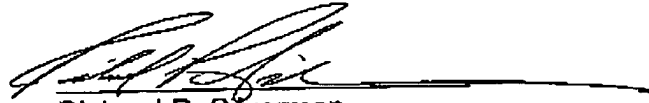
It is respectfully submitted that, in view of the above remarks, the rejection under the judicially created doctrine of obviousness-type double patenting should be withdrawn and that this application is in a condition for an allowance of all pending claims. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited.

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An early and favorable action is courteously solicited.

Respectfully submitted,



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Attachment:
Marked copy of amended claims
Terminal Disclaimer
Associate Power of Attorney

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Marked copy of amended claims

4. (Amended) [An additive as claimed in claim 1, in which the] A low-temperature-stabilized additive for fuel oils having a sulfur content of up to 0.05 weight percent, comprising fatty acid mixtures comprising
A1) from 1 to 99 weight percent of at least one saturated mono- or dicarboxylic acid having
from 6 to 50 carbon atoms,
A2) from 1 to 99 weight percent of at least one unsaturated mono- or dicarboxylic acid having
from 6 to 50 carbon atoms,
and
at least one polar nitrogen-containing compound which is effective as paraffin dispersant in middle distillates, in an amount of from 0.01 to 90 weight percent,
based on the total weight of A1), A2), and B,
wherein a mixture of A1) and A2) has an iodine number of at least 40 g of I/100 g.

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